

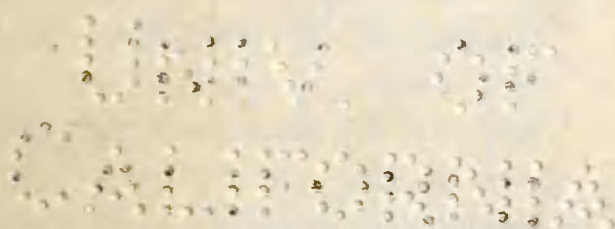
CALIFORNIA STATE LIBRARY

J. L. GILLIS, Librarian

California. Laws, statutes, etc.

CALIFORNIA

County Free Library Law



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County Free Library Law.

CHAPTER 68.

An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing "An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act."

[Approved February 25, 1911.]

The people of the State of California, represented in senate and assembly, do enact as follows:

SECTION 1. The boards of supervisors of the several counties shall have power to establish and maintain, within their respective counties, county free libraries in the manner and with the functions prescribed in this act.

Establishment by boards of supervisors.

SEC. 2. The board of supervisors of any county may establish at the county seat a county free library for that part of such county lying outside of incorporated cities and towns maintaining free public libraries, and outside of library districts maintaining district libraries, and for all such additional portions of such county as may elect to become a part of,

or to participate in, such county free library system, as hereafter provided in this act. At least once a week for two successive weeks prior to taking such action, the board of supervisors shall publish, in a newspaper designated by them and published in such county, notice of such contemplated action, giving therein the date of the meeting at which such action is proposed to be taken.

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SEC. 3. After the establishment of a county free library as provided in this act, the board of trustees, common council or other legislative body of any incorporated city or town in the county maintaining a free public library, or the board of trustees of any library district maintaining a district library, may notify the board of supervisors that such city, town or library district desires to become a part of the county free library system, and thereafter such city, town or library district shall be a part thereof and its inhabitants shall be entitled to the benefits of such county free library, and the property within such city, town or library district shall be liable to taxes levied for county free library purposes. But the board of trustees, common council or other legislative body of any incorporated city or town in the county, or the board of trustees of any library district may

at any time notify the board of supervisors that such city, town or library district no longer desires to be a part of the county free library system, and thereafter such city, town or library district shall cease to participate in the benefits of such county free library, and the property situated in such city, town or library district shall not be liable to taxes for county free library purposes; provided, however, that the board of trustees, common council or other legislative body of any incorporated city or town, or the board of trustees of any library district, shall publish, at least once a week for two successive weeks prior either to giving or to withdrawing such notice, in a newspaper designated by said board of trustees, city council or board of library trustees, and circulating throughout such city, town or library district, notice of such contemplated action, giving therein the date and the place of the meeting at which such contemplated action is proposed to be taken.

SEC. 4. The board of supervisors of any county wherein a county free library has been established under the provisions of this act, shall have full power and authority to enter into contracts with any incorporated city or town maintaining a free public library, and any such incor-

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porated city or town shall, through its board of trustees or other legislative body, have power to enter into contracts with such county to secure to the residents of such incorporated city or town the same privileges of the county free library as are granted to, or enjoyed by, the residents of the county outside of such incorporated city or town, or such privileges as may be agreed upon in such contract, upon such consideration to be named in said contract as may be agreed upon, the same to be paid into the county free library fund, and thereupon the residents of such incorporated city or town shall have the same privileges with regard to said county free library as are had by the residents of such county outside of such incorporated city or town, or such privileges as may be agreed upon by said contract.

Counties
may
contract
with each
other for
joint
service.

SEC. 5. The board of supervisors of any county wherein a county free library has been established under the provisions of this act, shall have full power and authority to enter into contracts or agreements with the board of supervisors of any other county to secure to the residents of such other county such privileges of such county free library as may, by such contract, be agreed upon and upon such consideration as may in said contract be agreed upon, the same to be paid into the

county free library fund, and thereupon the inhabitants of such other county shall have such privileges of such county free library as may by such contract be agreed upon; and the board of supervisors of such county shall have full power and authority to enter into a contract with the board of supervisors of another county wherein a county free library has been established under the provisions of this act, as in this section provided, and shall have power to levy a library tax as in this act provided, for the purpose of carrying out such contract, but the making of such contract shall not bar the board of supervisors of such county during the continuance of such contract, from establishing a county free library therein under the provisions of this act, if none be already established therein, and upon the establishment of such county free library, such contract may be terminated upon such terms as may be agreed upon by the parties thereto, or may continue for the term thereof.

SEC. 6. A commission is hereby created to be known as the board of library exam-
iners, consisting of the state librarian,
who shall be ex officio chairman of said
board, the librarian of the public library
of the city and county of San Francisco,
and the librarian of the Los Angeles pub-

Board of
library
exam-
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lic library. The members of said board shall receive no compensation for their services, except their actual and necessary traveling expenses, to be paid out of the state library fund. Said board shall pass upon the qualifications of all persons desiring to become county librarians, and may, in writing, adopt rules and regulations not inconsistent with law for its own government, and for carrying out the purposes of this act. Persons of either sex shall be eligible to certification for the office of county librarian.

Appoint-
ment of
county
librarian.

SEC. 7. Upon the establishment of a county free library, the board of supervisors shall appoint a county librarian, who shall hold office for the term of four years, subject to prior removal for cause, after a hearing, by said board. No person shall be eligible to the office of county librarian unless prior to his appointment, he has received from the board of library examiners a certificate of qualification for the office. At the time of his appointment, the county librarian need not be a resident of the county nor a citizen of the State of California.

Super-
vision.

SEC. 8. The county free library shall be under the general supervision of the board of supervisors, which shall have power to make general rules and regulations regarding the policy of the county

free library, to establish, upon the recommendation of the county librarian, branches and stations throughout the county and may locate said branches and stations in incorporated cities and towns wherever deemed advisable, to determine the number and kind of employees of such library, and to appoint and dismiss such employees upon the recommendation of the county librarian. Such employee shall not be removed except for cause, and in case any such removal be made upon the ground that the services of such employee are no longer required, such removed employee shall have the first right to be restored to such employment when such services are again required, but the board of supervisors may, at the time of appointing any employee, and upon the recommendation of the county librarian, enter into an agreement that such employee be employed for a definite time only. All employees of the county free library whose duties require special training in library work shall be graded in grades to be established by the county librarian, with the advice and approval of the state librarian, according to the duties required of them, experience in library work and other qualifications for the service required; and before appointment to a position in the graded service, the can-

Powers
and
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didate must pass an examination appropriate to the position sought, satisfactory to the county librarian, and show a satisfactory experience in library work. Work in approved library schools or libraries, or certificates issued by the board of library examiners, may be accepted by the county librarian in lieu of such examination. The county librarian may also accept as apprentices, without compensation, candidates possessing personal qualifications satisfactory to him and may dismiss the same at any time if in his judgment their work is not satisfactory to him.

SEC. 9. The county librarian shall, prior to entering upon the duties of his office, file with the county clerk the usual oath of office and a bond, conditioned upon the faithful performance of his duties, with sufficient sureties approved by a judge of the superior court in the county of which the librarian is to be the county librarian, in such sum as may be determined by the board of supervisors. The county librarian shall, subject to the general rules adopted by the board of supervisors, build up and manage, according to accepted principles of library management, a library for the use of the people of the county, and shall determine what books and other library equipment shall

be purchased. The salary per annum of the county librarian shall be as follows: In counties of the first to the third classes inclusive, two thousand four hundred dollars; of the fourth to the tenth classes inclusive, two thousand dollars; of the eleventh to the twentieth classes inclusive, eighteen hundred dollars; of the twenty-first to the thirtieth classes inclusive, fifteen hundred dollars; of the thirty-first to the forty-eighth classes inclusive, twelve hundred dollars; and of the forty-ninth to the fifty-seventh classes inclusive, five hundred dollars. The salary of each of the county librarians here provided shall be paid by each of such counties in equal monthly installments, at the same time and in the same manner and out of the same fund as the salaries of other county officers are paid. The county librarian and his assistant shall be allowed actual and necessary traveling expenses incurred on the business of the office.

SEC. 10. The county free libraries of the state shall be under the general supervision of the state librarian, who shall from time to time, either personally or by one of his assistants, visit the county free libraries and inquire into their condition. The actual and necessary expenses of such visits shall be paid out of the state library fund. The state libra-

Salary
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Conven-
tion.

rian shall annually call a convention of county librarians, to assemble at such time and place as he shall deem most convenient, for the discussion of questions pertaining to the supervision and administration of the county free libraries, the laws relating thereto, and such other subjects affecting the welfare and interest of the county free libraries as shall properly be brought before it. It is hereby made the duty of all the county librarians to attend and take part in the proceedings of such convention. The actual and necessary expenses of the county librarians attending the convention shall be paid out of the county free library fund.

Annual
report.

SEC. 11. The county librarian shall, on or before the thirty-first day of July in each year, report to the board of supervisors and to the state librarian on the condition of the county free library, for the year ending June thirtieth preceding. Such reports shall, in addition to other matters deemed expedient by the county librarian, contain such statistical and other information as may be deemed desirable by the state librarian. For this purpose the state librarian may send to the several county librarians instructions or question blanks so as to obtain the material for a comparative study of library conditions in the state.

SEC. 12. The board of supervisors, ^{Tax levy.} after a county free library has been established, shall annually levy, in the same manner and at the same time as other county taxes are levied, and in addition to all other taxes, a tax not to exceed one mill on the dollar of assessed valuation upon all property in such county outside of incorporated cities and towns maintaining free public libraries, and library districts maintaining district libraries, and upon all property within incorporated cities, towns and library districts, which have elected to become a part of such county free library system as provided in this act, for the purpose of purchasing property for, establishing and maintaining the county free library. County bonds ^{Bonds.} may be issued, in the manner prescribed in section 4088 of the Political Code, for the erection and equipment of county free library buildings and the purchase of land therefor. The board of supervisors is authorized to receive, on behalf of the county, any gift, bequest or devise for ^{Gifts.} the county free library, or for any branch or subdivision thereof. The title to all property belonging to the county free library shall be vested in the county. All laws applicable to the collection of county taxes shall apply to the collection of the tax herein provided. All funds of the

Fund.

county free library, whether derived from taxation or otherwise, shall be in the custody of the county treasurer. They shall constitute a separate fund, called the county free library fund, and shall not be used for any purposes except those of the county free library. Each claim against the county free library fund shall be authorized and approved by the county librarian, or in his absence from the county by his assistant. It shall then be acted upon in the same manner as are all other claims against the county.

County
law
library
may co-
operate.

SEC. 13. In any county of this state where a law library may now or hereafter exist under the provisions of section 4190 to 4204, inclusive, of the Political Code of the state, the board of supervisors of such county shall have power to enter into contracts, or agreements with the board of law library trustees of such law library for the coöperation of said law library and the county free library, and, in that connection, to contract or agree with the board of law library trustees of such law library that the county librarian and other employees of the county free library perform the duties required to be done or performed by the officers and employees of such law library as contemplated by section 4190 to 4204, inclusive, of the Political Code of this state for a

compensation to be named in such contract or agreement, the same to be paid into the county free library fund.

SEC. 14. The board of supervisors shall have power to accept on behalf of the county free library, all books and other property of school libraries and of the teachers' library as provided by sections 1565, 1715 and 1716 of the Political Code, and to manage and maintain the same as a part of the county free library.

School libraries and county teachers' library may become a part.

SEC. 15. After a county free library has been established, it may be disestablished in the same manner as it was established. At least once a week for two successive weeks prior to taking such action, the board of supervisors shall publish, in a newspaper designated by them, and published in the county, notice of such contemplated action, giving therein the date of the meeting at which such contemplated action is proposed to be taken.

Disestablishment.

SEC. 16. Instead of establishing a separate county free library, the board of supervisors may enter into a contract according to the provisions of this section with the board of library trustees or other authority in charge of the free public library of any incorporated city or town, and the board of library trustees, or other authority in charge of such free public

Contract with public library to carry on work.

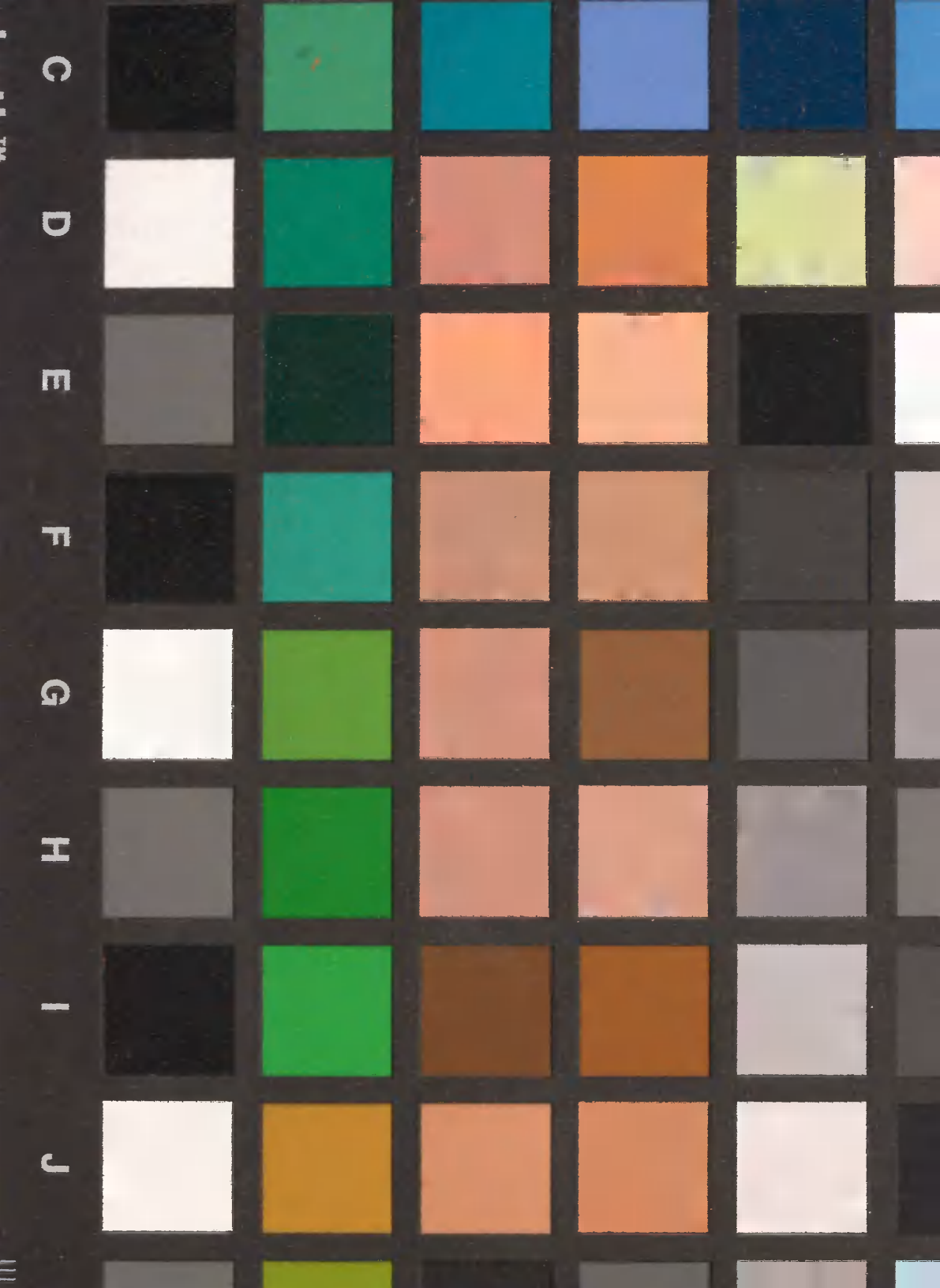
library, is hereby authorized to make such a contract. Such contract may provide that the free public library of such incorporated city or town shall assume the functions of a county free library within the county with which such contract is made, including incorporated cities and towns therein. The board of supervisors may agree to pay annually into the library fund of such incorporated city or town such sum as may be agreed upon. Either party to such contract may terminate the same by giving six months' notice of intention to do so.

Repeal of
law
passed
in 1909.

SEC. 17. An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict herewith, are hereby repealed; provided, however, that any county library which may have been established and is now in existence under the provisions of the act approved April 12, 1909, shall be continued under the provisions of this act, and be considered the same as if established under the provisions of this act; and provided further, that in any case where a contract has been entered into between any county board of supervisors and any city or incorporated town under the provisions of section twelve of said act, the same shall continue in force, and the provisions of sec-

tion sixteen of this act shall be applicable thereto, until the establishment and equipment of a county free library under the provisions of sections one to fifteen inclusive of this act, unless sooner terminated under the provisions thereof.





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THE ARCHIVE

